



# **Austin City Council MINUTES**

**For**      **APRIL 2, 1987 - 1:00 P.M.**

Council Chambers, 307 West Second Street, Austin, Texas

## **City Council**

**Frank C. Cooksey**  
Mayor

**John Treviño, Jr.**  
Mayor Pro Tem

**Council Members**  
**Mark Rose**  
**Smoot Carl-Mitchell**  
**Sally Shipman**  
**George Humphrey**  
**Charles E. Urdy**

**Jorge Carrasco**  
City Manager

**Elden Aldridge**  
City Clerk

## **Memorandum To:**

Mayor Cooksey called to order the meeting of the Council, and after roll call, noted the absence of Councilmember Urdy, Mayor Pro Tem Trevino, Councilmembers Shipman, Carl-Mitchell and Rose.

### **CITIZEN COMMUNICATIONS**

Ms. Masha L. Davis who had requested to discuss laws pertaining to stray cats was not present. Ms. Connie Moore discussed permitting process for compost toilets. Mr. Dan Harrison discussed action on cancellation education campaign. Mr. Hal Klein discussed additional City funds for the 1987 Zilker Summer Musical. Council said they would consider the funding question on April 9, 1987.

### **MINUTES APPROVED**

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved minutes for special meeting of March 24, 1987. (4-0 Vote, Councilmember Rose and Urdy and Mayor Pro Tem Trevino absent)

### **ROLL CALL**

Mayor Cooksey requested the City Clerk to call the roll. Councilmembers absent were Councilmember Rose and Urdy and Mayor Pro Tem Trevino.

### **ELECTRIC UTILITY COMMISSION REPORT**

An Electric Utility Commission report was given on consideration of hiring two consultants for a rate setting process. No action was taken.

## OLD BUSINESS - Ordinances

Tree Survey Requirement

Council had before them for consideration an amendment to Ordinance No. 860116-J, Section 5189-A changing the tree survey requirement from 6 inches to 8 inches in diameter. Council agreed to send this ordinance to the Planning Commission for their decision.

## AIR CONDITIONING MAINTENANCE

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, adopted a resolution approving of twelve (12) month contract (RFP) with United Technologies Carrier Building Services for maintenance services on air conditioning equipment in the amount of \$51,120.00. (4-0 Vote, Councilmembers Rose and Urdy and Mayor Pro Tem Trevino absent)

## CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Urdy absent)

Capital Improvements Program

Authorized eminent domain proceedings to acquire interests in certain lands for certain projects described as follows:

- a. A 0.22 acre tract of land out of Outlot 56, in Division "A" of the Government Outlots adjoining the original City of Austin, Travis County, Texas, to be acquired in fee for the Airport Boulevard Pedestrian Walkway.
- b. A 2.713 acre tract of land out of the Jessie Williams Survey No. 62 of Travis County, Texas, to be acquired in fee for U.S. Hwy. 290/State Hwy. 71 (protective acquisition).
- c. A 1,303 square foot tract of land out of James P. Wallace Survey No. 57 in the City of Austin, Travis County, Texas, to be acquired as a storm sewer easement, and also the remainder of Lot 6, Block E, Heritage Hills Section 3, west of said easement as a Working Easement. Project: Rutherford Lane Street and Drainage Improvement.

Capital Improvements Program

Approved of the selection of professional engineering services in connection with the Planning, Design and Construction of Water and Wastewater Utility Projects: Water System Improvements for the Lost Creek/Woods of Westlake Area and Windmill Run Southwest B Water Transmission Main in the amount of \$308,000.00 C.I.P. Nos. 85/22-09 and 87/22-40.

4/2/87

Approved of a proposed supplemental amendment to the Professional Services Agreement between the City of Austin and Turner, Collie & Braden, Inc., in connection with the South Austin Regional Wastewater Treatment Facilities in the amount of \$1,800,000.00. C.I.P. No. 73/23-87.

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Approved the following change orders:

- a. In the amount of \$33,740.00 to Garey Construction Company, Inc., for remote parking lot at Robert Mueller Municipal Airport. (1.70% increase of the original amount of \$1,985,362.50 - total changes to date 11.75%) C.I.P. No. 85/81-03
  - b. In the amount of \$155,480.00 to Austin Power, Inc. for the Albert H. Ullrich Water Treatment Plant Expansion. (1.14% increase of the original amount of \$13,647,000.00 - total changes to date 4.07%) C.I.P. No. 73/22-98
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Approved of a twelve month contract (RFP) with Peat, Marwick, Mitchell & Company for airport financial consulting services in the amount of \$150,000.00 C.I.P. No. 86-81-01.

Contracts Approved

Approved the following contracts:

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| <p>a. PELZEL-HARRIS AND ASSOCIATES, INC. (WBE)<br/>5524 Bee Caves Road<br/>Austin, Texas</p>           | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>New Fire Station at 2804 Montebello Road, Fire Department<br/>Total \$584,666.00 C.I.P. No. 85/83-01</p>   |
| <p>b. AMERICAN RIGGING, INC.<br/>JOHN F. BEASLEY CONSTRUCTION CO.<br/>1221 Merit<br/>Dallas, Texas</p> | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Moving Services to move a Transformer from Radam Siding to Trading Post Substation Site, Electric Utility Department<br/>Total \$38,290.00 C.I.P. No. 85/16-02</p> |
| <p>c. POWER ENTERPRISES<br/>c/o Len T. Deloney Company<br/>1900 Mistywood<br/>Austin, Texas</p>        | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Fabricated Structural Steel, Electric Utility Department<br/>Items 1-36 - \$244,737.00<br/>C.I.P. Nos. 85/16-02 &amp; 85/16-18</p>                                 |
| <p>d. RIVER CITY MACHINERY COMPANY<br/>12949 Research Boulevard<br/>Austin, Texas</p>                  | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Three (3) Yard Front Loader, General Services Department<br/>Item 1 - \$64,369.00 C.I.P. No. 85/23-15</p>  |

- e. LONGHORN INTERNATIONAL  
4711 E. 7th Street  
Austin, Texas
  - CAPITAL IMPROVEMENTS PROGRAM -  
Two (2) General Purpose Tractors,  
General Services Department  
Items 1 & 2 - \$28,120.00 C.I.P.  
No. 85/23-15
- f. INSITUFORM TEXARK, INC.  
18022 Edison Avenue  
Chesterfield, Missouri
  - CAPITAL IMPROVEMENTS PROGRAM -  
West University Wastewater  
Rehabilitation Project, Water  
and Wastewater Utility Department  
Total \$209,727.00 C.I.P. No.  
85/23-13
- g. THE VIDEO STORE, INC.  
3300 W. Anderson Lane  
Austin, Texas
  - Closed Circuit Television Systems,  
Water and Wastewater Utility  
Department  
Total \$55,835.50 87-S229-KK
- h. GENERAL ELECTRIC SUPPLY COMPANY  
3101 Longhorn Boulevard, #116  
Austin, Texas
  - Luminaires, General Services  
Department  
Twelve (12) Month Supply Agreement  
Items 1, 2, 6 & 7 - \$155,911.00  
87-0132-RM/RD

#### Items Postponed

Postponed was consideration of indemnification for city officials and employees.

Postponed to April 9, 1987 is consideration of approving the Program Evaluation and Analysis Work Plan for 1987.

#### Capital Improvements Program

Approved the fee purchase of 13.185 acres (a 6.243 acre tract and a 6.942 acre tract) and the lease of 7.121 acres for the Boggy Creek Drainage Improvement Project. C.I.P. No. 79/60-09.

#### Public Hearings Set

Set a public hearing on the following:

- a. Obtaining citizens' comments on the City's submission of a grant application to the Texas Department of Community Affairs under the Texas Emergency Shelter Grants Program: April 9, 1987 at 4:30 p.m.
- b. Consideration of an ordinance suspending Southern Union Gas Company's revision to its customer service regulations: April 9, 1987 at 5:30 p.m.

## INTERIM WATER ACTION PLAN

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, adopted a resolution instructing the City Manager to design and implement an interim water action plan and hire the necessary project managers. (7-0 Vote)

# DISANNEXATION

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, passed through second and third readings of an ordinance to disannex portions of the RM 620, RM 2244, and Hwy. 71 limited purpose corridors in the vicinity of Bee Caves. (7-0 Vote)

## OLD BUSINESS - ZONING ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, passed through SECOND AND THIRD readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (7-0 Vote)

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|------------------------------------|------------------|--|
| (1) JACK SULLIVAN<br>C14-85-288.28 | State Highway 71 | From Interim "RR"<br>and Interim "SF-2"<br>to "GR" |
|------------------------------------|------------------|--|

First reading on May 7, 1986, (5-0). Councilmembers George Humphrey and Mark Rose absent. Conditions have been met as follows: Access Agreement has been executed. Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (2) TREMBATH/SULLIVAN State Highway 71 From Interim "RR"  
C14-85-288.29 and Interim "SF-2"

First reading on May 7, 1986, (5-0). Councilmember George Humphrey and Mark Rose absent. Conditions have been met as follows: Access Agreement has been executed. Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (3) RICHARD GRACY 1300 East Braker From "NO"  
By URS Company Lane to "LR"  
C14-86-217

First reading on December 4, 1986, (5-0). Mayor Pro  
Tem John Trevino, Jr. and Councilmember Charles E. Urdy  
out of room at roll call. No conditions to be met.

- (4) CENTEX MATERIALS, INC. 16201-16219 Bratton . From "DR" to  
By Jim Nias Lane "LI"  
C14-86-180

4/2/87

First reading on October 23, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Right-of-way on Bratton Lane has been conveyed by street deed.

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|-----------------------|------------------------|---------------------|
| (5) WEST PATTON, LTD. | 6715-6817 Convict      | From Interim "SF-2" |
| By Charles E. Howard  | Hill Road, 6602-6714   | to "LO", "GR"       |
| & July Little         | Ridge Oak Drive, 5900- | and "LR"            |
| C14r-85-375 A&B       | 6200 proposed William  |                     |
|                       | Cannon Drive           |                     |

First reading on October 8, 1986, (6-0). Mayor Frank C. Cooksey absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Right-of-way on Convict Hill Road and proposed William Cannon Drive has been acquired. Development restricted to that shown on site plan attached as an exhibit to the ordinance.

#### CONSENT ORDINANCES

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

#### Operating Budget Amendment

Amended the 1986-87 Annual Operating Budget by accepting an additional \$11,839.00 from the Texas State Department of Health and to approve the addition of one (1) FTE to the City payroll for the period of September 1, 1986 to August 31, 1987 for the investigation and prevention of tuberculosis in Austin and Travis County. (No additional City funds are required)

#### Street Name Changes

Approved the following street name changes:

- a. A portion of East Riverside between East Ben White Boulevard and Hoeke Lane to Palma Verde Drive. NC-87-011 (Request submitted by the Transportation and Public Services Department - Name change requested by surrounding property owners)
- b. A portion of Dessau Road between Rundberg Lane and Pleasant Lane to be changed to Cameron Road. NC87-013 (Request submitted by Transportation & Public Services Department)

Goeth Tract

Approved an ordinance amending Ordinance 861016-M, extending the termination date for a waiver from the Comprehensive Watersheds Ordinance for the Goeth Tract.

## EFFICIENCY OF CITY'S DEVELOPMENT PROCESS

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 770303-E providing for the establishment of a system of fiscal notes for certain ordinances requiring analyses of the impact of proposed ordinance on the efficiency of the City's development processes. (6-0 Vote, Mayor Pro Tem Trevino out of the room)

## CITY COUNCIL POLICY PLANNING PROCESS

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance establishing a City Council policy planning process, requiring the setting of annual City Council policy objectives, providing for the preparation of a policy agenda and schedule, clarifying the role of commissions, revising the role and duties of the Audit and Finance Committee, and providing for a City Council Policy Planning and Budget Committee, striking Section D as included in the draft ordinance. (Recommended by the Select Committee on Services and Spending) (6-0 Vote, Mayor Pro Tem Trevino out of the room)

## ANNUAL FINANCIAL PLAN

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, adopted a resolution providing policy direction to the City Manager concerning the preparation and content of the annual financial plan. (Recommended by the Select Committee on Services and Spending) (6-0 Vote, Mayor Pro Tem Trevino out of the room)

## ITEM POSTPONED

Postponed for one week was consideration of approving a contract with the Blume Tree Services, Inc. for tree trimming and line clearing services for the Electric Utility Department. (4/9/87)

## LICENSE AGREEMENT

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving a License Agreement to allow the encroachment of a rock wall and fence, rock driveway, electric gate and light standards into the public right-of-way at 1304 Alta Vista, with the request applicant work with staff to put reflectors on the wall. (4-2 Vote, Mayor Cooksey and Mayor Pro Tem Trevino voted No, Councilmember Urdy abstained)

## CONTRACT APPROVED

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving a contract for the following: (6-0 Vote, Councilmember Rose out of the room)

HYDROSTORAGE, INC.  
16825 Northcase Drive  
Houston, Texas

CAPITAL IMPROVEMENTS PROGRAM -  
Anderson Mill Reservoir, Water  
and Wastewater Utility Department  
Total \$2,987,900.00 C.I.P. No.  
85/22-31

## CITY MANAGER REPORT POSTPONED

The City Manager Report on Bond Council was postponed to April 9, 1987. No other City Manager reports listed on the agenda were presented.

## RECESS

Council recessed its meeting from 3:20 p.m. to 3:35 p.m.

## PUBLIC HEARING - ADOPTION OF UTILITY HEARING EXAMINER SYSTEM

Mayor Cooksey opened the continuance of the public hearing to consider adopting a Utility Hearing Examiner System.

The only speaker was Shudde Fath, who requested Council to delay their decision until the Electric Utility Commission has their decision.

Council unanimously agreed to continue the public hearing until 6:00 p.m. on April 16, 1987.

## HEARINGS POSTPONED

Postponed to April 30, 1987 at 6:00 p.m. was public hearing on an appeal from Mr. Chip Harris, president, Crestview Neighborhood Association, of the Planning Commission's decision regarding Compatibility Waiver #RZ-86-063 located at 5301 N. Lamar.

Postponed to April 30, 1987 at 6:00 p.m. was an appeal from Mr. Chip Harris of the Planning Commission's decision regarding a site plan approval at 5301 North Lamar.

## BOARD &amp; COMMISSION APPOINTMENTS

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, appointed Beverly Larkham as member emeritus on the Commission for Women. (6-0 Vote, Councilmember Urdy out of the room)

The Council, on Councilmember Urdy's motion, Councilmember Carl-Mitchell's second, appointed Lionel Johnson as a member of the Convention and Visitors Bureau. (7-0 Vote)

#### EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

1. Pending Litigation - Section 2, Paragraph e

- (a) City of Austin v. Houston Lighting and Power

2. Land Acquisition - Section 2, Paragraph f

- (a) Municipal Office Consolidation

#### RECESS AND ADJOURNMENT

Council recessed its meeting at 3:40 p.m. and adjourned its meeting at 5:00 p.m.